

Serial No.: 09/246,409

Attorney Docket No. 99P7454

REMARKS

Upon entry of the instant amendment, Claims 1-20 are pending. Claims 2-7 and 10-15 have been amended to overcome the Section 112 rejections.

Claims 2-7 and 10-15 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, various usages of "said message" was alleged to be unclear. The claims have been amended to provide greater clarity with reference to antecedent basis. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections of the claims.

Claims 1 and 9 have been rejected under 35 U.S.C. §102(e) as being anticipated by Kennedy, U.S. Patent No. 6,330,589 ("Kennedy"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Kennedy. As described in the Specification, one aspect of the present invention relates to handling of threaded messages. As used in the context of the present invention, messages may be "threaded" when forwarded with attached materials, i.e., when a portion of a previous message is included within a succeeding message. For example, a voice message or e-mail message may be forwarded (or replied-to) with additional comments. Thus, a first message is contained within the second message. Thus, claim 1 recites "wherein a threaded message *includes* at least a portion of another message;" and claim 9 recites "wherein at least a portion of said one or more first messages is *included* within said one or more second messages."

In contrast, Kennedy does not appear to relate to threaded messages as generally recited in the claims at issue. While Kennedy uses the term "threaded," the "threading" of Kennedy is not analogous to the "threading" of the present invention. More specifically, Kennedy provides for maintaining a database of messages related to a parent, and organizing how they are related. Thus, a message C may be a reply to a message B, which is a reply to a message A.

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Kennedy does not, however, relate to whether messages C or B contain all or part of message A; or whether message C contains all or part of B.

That is, as described in the present application, *threading occurs when one message in a chain is contained within or embedded in another*. This can lead to sorting and redundancy problems solved by embodiments of the present invention. In contrast, "threading" as used in Kennedy *refers only to the chain itself* and is not concerned with the embedding. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections of the claims.

Claims 2 and 10 have been rejected under 35 U.S.C. §103 (a) as being unpatentable over Kennedy in view of Luzeski et al., U.S. Patent No. 6,430,177 ("Luzeski") or "Official Notice." Applicants respectfully submit that the claimed invention that is not taught, suggested or implied by the cited art, either singly or in combination. Kennedy has been discussed above with reference to the independent claims. Applicants note that the Official Action is not entirely clear as to whether Luzeski or "Official Notice" forms the basis for the rejection. However, like Kennedy, neither Luzeski nor "Official Notice" relate to handling of threaded messages, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims.

Claims 3-7, 11-15, and 17-20 have been rejected under 35 U.S.C. §103 as being unpatentable over Kennedy in view of Hicks, U.S. Patent No. 6,304,573 B1 ("Hicks"). Applicants respectfully submit that there are elements of the claimed invention that are not taught, suggested or implied by Kennedy or Hicks, either singly or in combination. Kennedy has been discussed above. Hicks relates merely to storing voice messages. Thus, like Kennedy, Hicks also fails to teach, suggest or imply threading or identifying threading as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections of the claims.

Claims 8 and 16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Kennedy in view of Lytle, et al., U.S. Patent No. 6,549,950 ("Lytle"). Applicants respectfully submit that there are elements of the claimed invention that are not taught, suggested or implied by Kennedy or Lytle, either singly or in combination. Lytle is relied on for allegedly teaching an e-mail reply to an original e-mail message.

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Assuming this is true, Lytle, appears to be representative of the problem solved by the present invention and, like Kennedy does not appear to relate to handling or identifying threaded messages as generally recited in the claims. As such, the Examiner is respectfully requested to reconsider and withdraw the rejections of the claims.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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Date: *19 Sept 03*

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